

## DETAILED ACTION

### *Allowable Subject Matter*

1. **Claims 1, 3, 6, 8, and 10 are allowed.**
2. The following is an examiner's statement of reasons for allowance: a temperature difference swimming pool with water curtain controlling devices that include the limitations of a pair of juxtaposed pipes located on the bottom surface of a pool with a smaller inner pipe within each pipe to direct a curtain of water to create different water temperature zones within a swimming pool was not found in the most pertinent prior art of record. US Patent 3,460,166 issued to Weber shows physical curtain barriers to establish different temperature zones in a swimming pool. US Patent 3,693,953 issued to Michel shows a tank with pipes emitting water curtains located along the top and side walls to create thermal zones but fails to show an inner pipe. US Patent 5,379,467 issued to Lochbaum shows a water track and inner wading pool with water jets located on a side wall for creating a thermal water barrier for different temperature zones but fails to show juxtaposed pipes with inner pipes along the bottom surface. US Patent Application Publication 2010/0095448 issued to Goldmann was found in an updated search and as such has been cited as relevant art since it discloses a swimming pool with different temperature zones separated by a physical barrier.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JANIE CHRISTIANSEN whose telephone number is (571)270-5208. The examiner can normally be reached on M-F 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JC/

August 25, 2010

/Gregory L. Huson/  
Supervisory Patent Examiner, Art Unit 3751